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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 7443  
Kazunari USHIDA et al. : Attorney Docket No. 2006\_0286A  
Serial No. 10/570,133 : Group Art Unit 1618  
Filed March 1, 2006 : Examiner James W. Rogers

BETA-HYDROXY SHORT TO MEDIUM  
CHAIN FATTY ACID POLYMER

Mail Stop: Amendment

**RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

Sir:

In response to the Official Action dated May 12,2009 in which restriction has been required, Applicants hereby elect the invention identified as Group I (claims 38-51).

Election of species has been required if Group I is elected. Accordingly, Applicants hereby elect the species that the polyhydroxy fatty acid is produced by a microorganism.

Claims readable on the elected species are claims 38-47, 50 and 51.

The above elections are made without traverse.

Favorable action on the merits is now requested.

*The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.*

Respectfully submitted,  
Kazunari USHIDA et al.

By: Matthew M. Jacob  
Matthew M. Jacob  
Registration No. 25,154  
Attorney for Applicants

MJ/dlk  
Washington, D.C. 20005-1503  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
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